

**Opening Statement
Chairman Mark Souder**

**“Transit Zone Operations: Can We Sustain Record Seizures
with Declining Resources?”**

**Subcommittee on Criminal Justice, Drug Policy and Human Resources
Committee on Government Reform**

April 26, 2006

Good afternoon and thank you all for coming. For the third straight year, our joint service, interagency, and multinational forces in the transit zone have seized and disrupted a record amount of cocaine. A critical element of the strategy to disrupt our domestic illicit drug market focuses U.S. interdiction efforts on seizing cocaine and other drugs bound for the U.S. from South America in the transit zone.

The transit zone is a six million square mile area that encompasses Central America, Mexico, the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean. Transit zone seizures and disruptions in 2005 amounted to 252 metric tons of cocaine, compared to 219 metric tons in 2004 and 176 metric tons in 2003.

I am very familiar with the challenges associated with interdicting illicit drugs as they flow through this vast area. My Subcommittee has focused extensively on narcotics smuggling activities across our land and maritime borders, and over the past year I have been able to visit many agencies and organizations that support these efforts including recent briefings in Colombia, at Operation Panama Express, at Joint Interagency Task Force South in Key West, and the Coast Guard Armed Helicopter Squadron in Jacksonville. I am very aware of the critical roles performed by the agencies represented here today in drug interdiction and homeland security.

All of our federal agencies need a special “well done” from Congress for the record cocaine seizures in 2005. Through effective casework and coordination, the amount of actionable intelligence we now develop exceeds our interdiction capabilities in the transit zone. In other words, the Federal government knows of specific boatloads of drugs heading north that we cannot intercept because of lack of interception assets in the Caribbean and the Eastern Pacific. The intelligence breakthrough is a recent development resulting from the very successful efforts of Operation Panama Express, an interagency intelligence-driven program managed by the Departments of Justice and Homeland Security and the continued success of the Drug Enforcement Administration. Due to their coordinated efforts, Joint Inter Agency Task Force (JIATF) South now has improved insight into where, when and how much cocaine will be smuggled through the transit zones.

Transit zone interdiction is a team effort that relies on the successful execution of several steps in an interdiction continuum, including the collection and dissemination of actionable

intelligence, the detection and monitoring of suspect vessels, and the physical interdiction of those vessels. Each agency joining us today plays a critical role in this team effort that support transit zone interdictions.

I look forward to this afternoon's hearing to review our recent string of successes in the transit zone and discuss how we can improve upon these results. I have several concerns about our drug interdiction programs based on the recently released budget and the limited information that has thus far been shared with Congress by the Administration. Let me now flag some concerns which worry members of Congress.

The first and most alarming issue hidden in this year's budget proposal is the Administration's attempt to categorize the drug interdiction mission as a "Non-Homeland Security" mission. When Congress created the Department of Homeland Security in 2002, it combined some of the most important drug interdiction agencies in the Federal Government. While the Coast Guard's homeland security missions are not new, they were statutorily defined in Section 888 of the Homeland Security Act of 2002 (Public Law 107-296) as follows: ports, waterways, and coastal security; drug interdiction; migrant interdiction; defense readiness; and other law enforcement.

Contrary to this statutory definition, the Administration's 2007 budget request, as noted in the Coast Guard budget, categorizes "Illegal Drug Interdiction" and "Other Law Enforcement" missions as "Non-Homeland Security" missions. This proposed change clearly runs contrary to the organic statute establishing DHS. How did the lawyers at OMB and ONDCP sign off on this abdication of duty? I look forward to hearing an explanation from our ONDCP witness on how this change has come about, why, and what ONDCP tried to do to stop it.

A second issue to be discussed today is in the area of transit zone interdiction assets. As I mentioned, we now know when drug smuggling events will occur in the transit zone, but we don't have the assets to respond. This is especially true of maritime patrol aircraft (MPA). The previous U.S. Interdiction Coordinator Roger Mackin stated in July 2004 that "MPA are the linchpin of maritime interdiction operations and play a key role in virtually every significant maritime endgame." Among the various aircraft capable of patrolling in the transit zone, the most important are the P-3 airplanes, which have high operational capabilities and a broad array of sensors used in detecting and tracking drug smugglers. These aircraft are old and need repair. The Defense Department has already pulled its P-3s from drug interdiction use, leaving only the Customs and Border Protection P-3's in the "transit zone." These Customs and Border Protection airplanes won't be able to carry out this mission indefinitely without an overhaul or replacement.

So why, then, does the Administration propose to terminate the "service life extension program," mandated by Congress for the P-3s, and spend all of the CBP Air's procurement funds on small helicopters for the Border Patrol? These helicopters may be fine for nabbing illegal immigrants, but they cannot replace the P-3s over the open water in the Caribbean and in the eastern Pacific. Where is the plan to repair or replace the P-3s? Within a few years, won't we be blind at sea when trying to find the drug traffickers?

A third issue which we discussed at this same hearing a year ago is the idea of a maritime refueling vessel to improve U.S. drug interdiction capabilities in the transit zone. On two occasions this past year the House of Representatives has voted in favor of procuring a drug interdiction refueling vessel. Amendment #10 to H.R. 889, The Coast Guard and Maritime Transportation Act of 2005, was agreed to by voice vote on Sept. 16, 2005, having received the support of Leadership and the Committee on Transportation and Infrastructure. On July 19, 2005, a similar amendment was agreed to by voice vote, and included in H.R. 2601, The Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Members of Congress are very aware and concerned about the flow of drugs bound for the U.S., and recognize the unique challenges and vulnerabilities associated with U.S. interdiction efforts in the transit zone. I am interested in getting an updated opinion from today's panel on whether a maritime oiler vessel remains a needed capability in the transit zone.

A fourth issue to be addressed at this hearing is the impact of transit zone smuggling on the drug flow through Mexico and Central America. Last year, the DEA testified that 90% of the cocaine smuggled into the U.S. comes across the Southwest border. JIATF-South drug tracks show that Mexico, Belize and Guatemala are the transshipment points for most drugs flowing from South America. Recent staff briefings in Mexico and Guatemala indicate these drug shipments travel through the maritime routes or by airplane into Mexico and Central America and are then taken over land into the U.S.. What impact has record seizures had on the flow of drugs across the Southwest border, and what steps are being taken to address this next stop in the flow of illicit drugs?

Lastly, we look forward to discussing recent developments in the transit zone involving the Colombian Navy. A strong Colombian interdiction effort, along with robust and effective eradication and inland seizure efforts are critical to a successful illicit drug control strategy. In a layered system of defense, it makes good sense to seize drugs in or near the source country rather than out in the middle of the transit zone. During my visit to Colombia last month, I was told that through our strong partnership and cooperation, the Colombian Navy has achieved record results in 2005, seizing nearly 100 metric tons of cocaine. Additionally, the U.S. Congress recently identified funds to purchase and outfit several additional close-in maritime patrol aircraft for the Colombian Navy. I look forward to discussing these successful efforts and the benefits of a closely coordinated U.S. – Colombian drug interdiction effort.

These are serious questions that Congress needs to ask as it starts work on the annual appropriations bills.

Today we have a panel of very experienced witnesses to help answer these and other questions posed by the Subcommittee. We are pleased to welcome Mr. James O'Gara, Deputy Director of Supply Reduction, ONDCP; Rear Admiral Jeffrey Hathaway, Director, Joint Interagency Task Force – South; Mr. Michael Braun, Director of Operations, Drug Enforcement Administration, Rear Admiral Wayne Justice, Assistant Commandant for Enforcement and Incident Management, U.S. Coast Guard; Major General Michael Kostelnick, USAF(ret.), Director of the Office of Air and Marine, Customs and Border Protection; and Rear Admiral Alvaro Echandia, Chief of Naval Intelligence, Colombian Navy.

We look forward to your testimony and insight into this important topic.